

2005 MAY 27 PM 1:52

LORETTA G. WHYTE
CLERK

DOCKET NO. 1657

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY - 5 2005

FILED
CLERK'S OFFICE

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-9)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 350 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, ___ F.Supp.2d ___ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

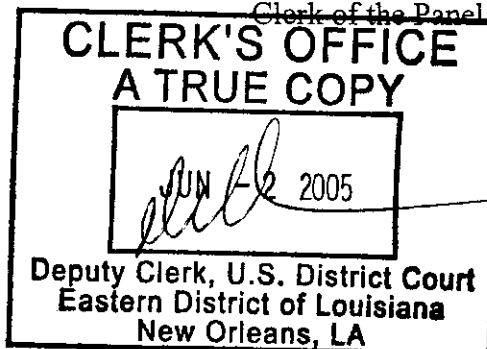
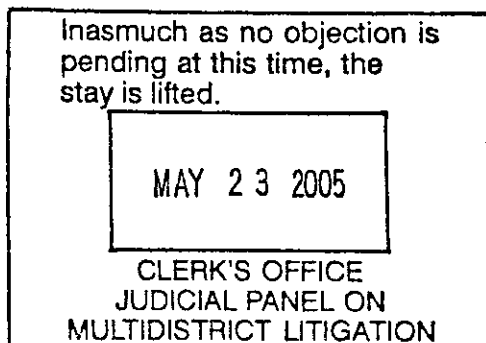
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck

Clerk of the Panel



Fee _____
Process _____
X Filed *June 2*
Clerk's Dep. _____
Doc. No. *403*

05-1095

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA
OFFICE OF THE CLERK

LORRETTA G. WHYTE
CLERK

500 POYDRAS ST., SUITE C-151
NEW ORLEANS, LA 70130

June 3, 2005

Robert Di Trolio, Clerk
United States District Court
Western District of Tennessee
167 N. Main St., Room 242
Memphis, TN 38103

FILED BY *S* D.C.
05 JUN 13 PM 2:40
ROBERT R. DI TROLIO
CLERK OF U.S. DIST CT
AND OF TN-JACKSON

In Re: MDL 1657 Vioxx Products Liability Litigation L (3)

Dear Mr. Trolio:

Enclosed are certified copies of a transfer order received from the Multidistrict Litigation Panel in Washington, D.C. It instructs that the cases listed on the attached page be transferred to our district for disposition pursuant to Title 28 USC 1407, as soon as possible. Our office has assigned new civil action numbers to these cases as referenced on the attached page.

DO NOT FORWARD THE ORIGINAL RECORD. The Honorable Eldon E. Fallon, U.S. District Court Judge issued an order directing that the transfer of records consist of only a certified copy of the complaint (including notice of removal, if applicable), any amendments, the docket sheet and the MDL Transfer Order, together with a copy of the transfer letter be forwarded to the transferor court.

Due to the high volume of cases involved in this litigation please provide paper copies of the above documents instead of simply referring to your website. Your prompt attention in this matter is greatly appreciated.

Should you have any questions regarding this request, please contact Dina Guilbeau at (504)589-7704.

Very truly yours,
Loretta G. Whyte, Clerk

By *[Signature]*
Deputy Clerk

Enclosures
cc: Judicial Panel on Multidistrict Litigation

05-1095

<u>Your Case Nos.</u>	<u>Case Title</u>	<u>Our Case Nos.</u>
1:05-1083	Charles R. Dailey, Sr., et al v. Merck & Co., Inc.	05-2054 L (3)
1:05-1084	Gerald D. Riley, et al v. Merck & Co., Inc., et al	05-2055 L (3)
1:05-1089	Larry L. Peter, et al v. Merck & Co., Inc., et al	05-2056 L (3)
1:05-1095	Shirley F. Sanders v. Merck & Co., Inc., et al	05-2057 L (3)



Notice of Distribution

This notice confirms a copy of the document docketed as number 13 in case 1:05-CV-01095 was distributed by fax, mail, or direct printing on June 16, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT